

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 31, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHRISTINA B.,¹

Plaintiff,

v.

MARTIN O'MALLEY, Commissioner of
Social Security,²

Defendant.

No. 1:23-cv-3122-EFS

**ORDER GRANTING THE PARTIES'
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C.
§ 405(g)**

The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings.

Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

¹ For privacy reasons, the Court refers to every social security plaintiff by first name and last initial or by "Plaintiff." *See* LCivR 5.2(c).

² Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, and section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), he is hereby substituted for Kilolo Kijakazi as the defendant in this suit.

1 1. The parties' Stipulated Motion for Remand, **ECF No. 14**, is
2 **GRANTED.**

- 3 • This matter is **REVERSED** and **REMANDED** to the
4 Commissioner of Social Security for further administrative
5 proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On
6 remand, the Appeals Council is to further develop the record, offer
7 Plaintiff an opportunity for a new hearing, reevaluate the
8 evidence, redetermine whether Plaintiff met or equaled a listing,
9 and issue a new decision.

10 2. The Clerk's Office shall **TERM** the hearing and the Plaintiff's brief,
11 **ECF No. 7**, enter **JUDGMENT** in favor of Plaintiff, and **CLOSE** the
12 case.

13 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
14 and provide copies to all counsel.

15 **DATED** this 31st day of January 2024.

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17 EDWARD F. SHEA
18 Senior United States District Judge
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